

## Message Text

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ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 AF-10 EA-11 EUR-25 NEA-14 RSC-01

CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03 NSAE-00

NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15 FEA-02 AID-20

CEQ-02 COA-02 COME-00 EB-11 EPA-04 IO-14 NSF-04

SCI-06 ACDA-19 AEC-11 AGR-20 DOTE-00 FMC-04 INT-08

JUSE-00 OMB-01 CIEP-03 CEA-02 OIC-04 DRC-01 /297 W

----- 103710

R 300119Z AUG 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 5645

C O N F I D E N T I A L CARACAS 8492

FROM USDEL LOS

EO 11652: GDS

TAGS: PLOS

SUBJ: LOS - DANISH STRAITS EXCEPTION FROM FREE TRANSIT PROVISIONS.

1. US REP MOORE AND DELEGATION MEMBERS HODGSON, DUGGER, AND EROCHER MET 20 AUGUST WITH FERGO AND ANDREASON OF DANISH DELEGATION TO EXPLORE MUTUALLY ACCEPTABLE METHOD OF DEALING WITH DANISH STRAITS WITHOUT RESORT TO SIX-MILE EXCEPTION. DANES REVIEWED QUESTIONS OF ROYAL DECREE GOVERNING TRANSIT BY WARSHIPS, HAZARDS OF ACCIDENT AND POLLUTION RESULTING FROM HIGH TRAFFIC DENSITY AND CROSSING FERRIES, DANGERS OF UNCONTROLLED OVERFLIGHT, AND LONG HISTORY OF PRESSURES ON DANES BY RUSSIAN OVER DANISH STRAITS TRANSIT. FERGO EMPHASIZED IMPORTANCE OF MEASURES TO CONTROL VESSEL-SOURCE POLLUTION, AND DANISH OPPOSITION TO ANYTHING THAT WOULD PREVENT ENFORCEMENT OF INTERNATIONAL STANDARDS BY DENMARK IN TERRITORIAL SEA IN STRAITS. IN RESPONSE TO SUGGESTION BY MOORE HE INDICATED WILLINGNESS TO

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CONSIDER POSSIBLE SOLUTION IN RECOMMENDATION OF SPECIAL DANISH

STRAITS POLLUTION REGIME TO IMCO, RATHER THAN SEEKING COASTAL STATE STANDARD SETTING AUTHORITY FOR VESSEL-SOURCE POLLUTION THROUGH DANISH STRAITS.

2. AS TO US, USSR, AND UK DRAFT ARTICLE LANGUAGE DESIGNED TO EXCEPT TURKISH AND IN CASE OF USSR ARTICLES DANISH STRAITS FROM UNIMPEDED PASSAGE, FERGO SAID US ARTICLE 2 WAS INADEQUATE. HE CONSIDERED SOVIET EXCEPTION LANGUAGE BETTER. HE ALSO INDICATED THAT AN ACCEPTABLE WAY TO HANDLE PROBLEM MIGHT BE UK ARTICLE 10 LANGUAGE TOGETHER WITH PRIVATE WRITTEN UNDERSTANDINGS WITH CERTAIN STATES THAT ARTICLE APPLIED IN CONTEXT OF 1857 TREATY AND BODY OF CUSTOM AND PRACTICE ARISING FROM IT, TO MAKE NON-SUSPENDABLE INNOCENT PASSAGE APPLICABLE TO DANISH STRAITS. FERGO STATED THAT IN HIS VIEW THIS ARTICLE TOGETHER WITH LETTERS FROM US, UK, USSR, GERMAN FEDERAL REPUBLIC, AND POSSIBLY NETHERLANDS, APPEARED TO HAVE A GOOD CHANCE MEETING DANISH NEEDS. (UK ARTICLE 10 READS, "THE PROVISIONS OF THIS CHAPTER SHALL NOT AFFECT OBLIGATIONS UNDER THE CHARTER OF THE UNITED NATIONS OR OTHER CONVENTIONS OR OTHER INTERNATIONAL AGREEMENTS ALREADY IN FORCE RELATING TO A PARTICULAR STRAIT.")

3. FERGO AGREED TO REVIEW MATTER WITHIN DELEGATION AND GOVERNMENT BUT EXPECTED NOTHING DEFINITE THIS SESSION.

4. COMMENT: SOVIETS DO NOT APPEAR TO BE ABLE TO ACCEPT DANISH SUGGESTION ALTHOUGH THEY HAVE INDICATED POSSIBILITY OF AGREEING TO PRIVATE ASSURANCES THAT "STATUS QUO WILL NOT BE ALTERED IN DANISH STRAITS." DEL WILL PURSUE THIS POSSIBLY WITH DANES BUT IT SEEMS UNLIKELY TO MEET DANISH CONCERNS. STEVENSON

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TERRITORIAL SEA LIMIT, DIPLOMATIC DISCUSSIONS, STRAITS  
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**Copy:** SINGLE  
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**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** martinml  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
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**TAGS:** PLOS, DA, US  
**To:** STATE  
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